

# EXHIBIT 3

10 NY ADC 5-1.71  
10 NYCRR 5-1.71

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N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.71

**COMPILATION OF CODES, RULES AND  
REGULATIONS OF THE STATE OF NEW  
YORK**

**TITLE 10. DEPARTMENT OF HEALTH  
CHAPTER I. STATE SANITARY CODE  
PART 5. DRINKING WATER SUPPLIES  
SUBPART 5-1. PUBLIC WATER SYSTEMS  
OPERATION AND QUALITY CONTROL.**

Current through amendments included in the New York State Register,  
Volume XXXI, Issue 18, dated May 6, 2009.

**Section 5-1.71. Protection and Supervision of  
Public Water Systems**

(a) The supplier of water and the person or persons operating a public water system shall exercise due care and diligence in the maintenance and supervision of all sources of the public water systems to prevent, so far as possible, their pollution and depletion.

(b) The supplier of water and the person or persons operating a water treatment plant or distribution system shall exercise due care and diligence in the operation and maintenance of these facilities and their appurtenances to ensure continued compliance with the provisions of this Subpart. Facilities approved by the State shall be operated in general accordance with their design unless otherwise authorized under the provisions of section 5-1.22, 5-1.23 or 5-1.24 of this Subpart.

**CREDIT(S)**

Sec. filed April 4, 1977; amd. filed April 6, 1987  
eff. April 6, 1987.

<General Materials (GM) - References, Annotations, or Tables>

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